

DT 02-095

VERIZON NEW HAMPSHIRE/SBC TELECOM, INC.

Order Approving Negotiated Interconnection Agreement

O R D E R N O. 24,034

August 9, 2002

On May 16, 2002, Verizon New England d/b/a Verizon New Hampshire and SBC Telecom, Inc. (SBC) jointly filed with the New Hampshire Public Utilities Commission (Commission) a negotiated Interconnection Agreement (Agreement). The Agreement was filed for approval pursuant to Section 252(e) of the Telecommunications Act of 1996 (TAct), 47 U.S.C. ' 252(e).

SBC was granted certification as a competitive local exchange carrier (CLEC) in Docket DT 99-203 by Order 23,464 dated May 3, 2000. The instant Agreement replaces one approved by this Commission in Docket No. DT 01-209 by Order 23,877 dated December 21, 2001.

This Agreement is a comprehensive set of terms and conditions that will facilitate the provisioning of telecommunications service by SBC as a CLEC in New Hampshire.

The initial term of the Agreement expires on March 31, 2004. The Agreement may remain in effect after the expiration date, as specified by its terms and conditions.

Section 252(e)(2)(A) of the TAct requires the Commission to approve a negotiated interconnection agreement

unless it is determined that the Agreement or some portion of it discriminates against a telecommunications carrier not a party to the agreement or that the implementation of the Agreement would not be consistent with the public interest, convenience, and necessity. 47 U.S.C. ' 252(e)(2)(A). We have reviewed the filing and find that approval is warranted according to this standard.

We note that SBC may purchase services or unbundled elements that may not be covered in this Interconnection Agreement from Verizon's Statement of Generally Available Terms (SGAT) and its subsequent revisions that are in effect pursuant to Order No. 22,692, subject to continued review under Section 252(f)(4) of the TAct.

In order to promote the continued growth of competitive telecommunications services in New Hampshire, we will require SBC to comply with our notice requirements regarding a Fresh Look opportunity. The recommended method for giving notice is to provide the Commission with a contemporaneous copy of the Confirmation of Code Activation form which is used to notify the North American Numbering Code Administrator.

As new competitors enter the telecommunications market, we recognize that New Hampshire's 603 area code

encounters constantly increasing demand. Accordingly, we will require that SBC request and use numbers responsibly and conservatively, and invite SBC to explore alternative mechanisms to use existing numbers as efficiently as possible.

In approving this Agreement, we require SBC to comply with our orders on number conservation including Order No. 23,385 issued January 7, 2000, and Order No. 23,392 issued January 27, 2000, as well as further orders issued by the Commission concerning this matter.

Based upon the foregoing, it is hereby

ORDERED, that the Interconnection Agreement between SBC Telecom, Inc. and Verizon New Hampshire is APPROVED; and it is

FURTHER ORDERED, that SBC is required to comply with our Order No. 23,385 issued January 7, 2000, Order No. 23,392 issued January 27, 2000, and further orders issued by the Commission concerning number conservation; and it is

FURTHER ORDERED, that SBC is prohibited from placing any orders under this Agreement and from otherwise doing business in New Hampshire until such time as SBC has complied with all requirements of applicable federal and state law or regulation; and it is

FURTHER ORDERED, that SBC will notify the Commission within ten days of making their first facility-based commercial call in any exchange that has not already been opened to a "Fresh Look@ opportunity as ordered in Docket DE 96-420; and it is

FURTHER ORDERED, that any clause in this Agreement found to be in violation of any Commission order is null and void.

By order of the Public Utilities Commission of New Hampshire this ninth day of August, 2002.

Thomas B. Getz
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Michelle A. Caraway
Assistant Executive Director